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TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 130098-1001
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/535110
International Application No. PCT/AU2003/001526	International Filing Date November 14, 2003	Priority Date Claimed November 15, 2002
Title of Invention Drug Delivery Device and Method		
Applicant(s) for DO/EO/US David Peter Wharton and Ben Huber		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.		
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 40px;">b. <input checked="" type="checkbox"/> has been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> is attached hereto.</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p style="margin-left: 40px;">a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p style="margin-left: 40px;">b. <input checked="" type="checkbox"/> have been communicated by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 40px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> <p>Items 11 to 20 below concern document(s) or information included:</p> <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A preliminary amendment.</p> <p>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.</p> <p>18. <input checked="" type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information: International Search Report; International Preliminary Examination Report w/Article 34 Amendment; Form PCT/IB/306 Notification of the Recording of a Change; Amendments filed 1/14/05 and 1/21/05; correspondence advising of a name change to MediStream; and correspondence requesting a correction to the name of applicant to Medi-Stream.</p>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minute to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS: SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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U.S. APPLICATION NO. (if known, see 37 CFR 1.5) Unknown		INTERNATIONAL APPLICATION NO.: PCT/AU2003/001526		ATTORNEY'S DOCKET NUMBER 130098-1001	
The following fees have been submitted:					
21. <input checked="" type="checkbox"/> Basic national fee.....				\$300	
22. <input checked="" type="checkbox"/> Examination fee					
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4).....				\$100	
All other situations.....				\$200	
23. <input checked="" type="checkbox"/> Search fee					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....				\$100	
International Search Report prepared and provided to the Office.....				\$400	
All other situations.....				\$500	
TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)		RATE	
- 100 =	/50 =			x \$250	
				\$-0-	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	63 - 20 =	43	x \$ 50	\$2150.00	
Independent claims	3 - 3 =	0	x \$200	\$-0-	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$3180.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/3.					
SUBTOTAL =				\$1590.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$-0-	
TOTAL NATIONAL FEE =				\$1590.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$	
TOTAL FEES ENCLOSED =				\$1590.00	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ 1590.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-0153. A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive 37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: Tim Headley Gardere Wynne Sewell LLP 1000 Louisiana, Suite 3400 Houston, Texas 77002					
				SIGNATURE	
				NAME	
				31,765	
				REGISTRATION NUMBER	

FORM PTO-1390 (REV. 02-2005)

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371

Applicants: David Peter Wharton)
Ben Huber)
Application Number: Not Assigned)
Filed: May 16, 2005)
Int'l App. No.: PCT/AU2003/001526)
Int'l Filing Date: November 14, 2003)
Priority Date: November 15, 2002)
Group Art Unit: Not Assigned)
Examiner: Not Assigned)
For: DRUG DELIVERY DEVICE)
AND METHOD)

CERTIFICATE OF MAILING	
I hereby certify that this document is being deposited on this day with the U.S. Postal Service as, Express Mail under 37 C.F.R. 1.10 and is addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.	
	
Signature of Person Mailing Correspondence	
Deborah Foots	
Typed or Printed Name of Person Mailing Correspondence	
Date of Signature:	5/16/05
EV 451434259 US	
Express Mail Label Number	

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER


1. Application Data Sheet;
2. Transmittal Letter to the U.S. Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371;
3. Copy of Published Application with International Search Report;
4. Copy of International Preliminary Examination Report with Article 34 Amendment;
5. Copy of Article 19 Amendments filed 3/22/04;
6. Copy of Amendments filed 1/14/05;
7. Copy of Amendments filed 1/21/05;
8. Copy of correspondence dated 4/27/05 advising of name change;

9. Copy of correspondence dated 5/11/05 requesting correction of name;
10. Check for \$1590.00; and
11. Return postcard.

Applicants believe that no additional fees are due for the filing of these papers. However, if any additional fees are due, or any overpayments have been made, please charge, or credit, Deposit Account No. 07-0153.

Respectfully submitted,

Dated: May 16, 2005


Tim Headley
Attorney for Applicant
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Customer No. 37058
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JC13 Rec'd PCT/PTO 16 MAY 2005

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ATTORNEY CODE: FK

OUR REF: 13904PC2-PMT/SJR

VIA FACSIMILE ONLY: 02 6283 7999

21 January 2005

URGENT**FINAL DATE FOR IPER 15 MARCH 2005**The Receiving Office
IP Australia
WODEN ACT 2606

Attention: David Melhuish

SIR

INTERNATIONAL PATENT APPLICATION PCT/AU03/01526

Owner: David Peter Wharton

Title: DRUG DELIVERY DEVICE AND METHOD

I refer to the telephone discussion this morning between yourself and Sarah Rizzo of our offices and attach herewith corrected amended page 54 as requested.

Thank you for your advice.

Yours respectfully

FISHER ADAMS KELLY
ROBIN T. KELLY

Encl: Amended page 54

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OUR REF: 13904PC2-PMT/SJR

URGENT - 30 MONTH DEADLINE
15 MAY 2005

27 April 2005

VIA FACSIMILE: +41 22 740 14 35

International Bureau of WIPO
34 chemin des Colombettes
1211 GENEVA 20
SWITZERLAND

SIR

INTERNATIONAL PATENT APPLICATION PCT/AU03/01526

Owner: David Peter Wharton

Title: DRUG DELIVERY DEVICE AND METHOD

We request the above identified application be amended to show Medistream Pty Ltd as the applicant in all countries other than the USA.

We enclose an Appointment of Agent authorising us to act on behalf of the assignee.

Thank you for your assistance in this matter. Could you please acknowledge receipt of this correspondence.

Yours respectfully
FISHER ADAMS KELLY

**PAUL M. THOMPSON**

Encl. Appointment of Agent

The PTO did not receive the following
listed item(s) the enclosure
Appointment of Agent document.

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JC13 cc'd PCT/PTO 16 MAY 2005

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ATTORNEY CODE: FK

OUR REF: 13904PC2-PMT/SJR

11 May 2005

**URGENT - 30 MONTH
DEADLINE 16 MAY 2005****VIA FACSIMILE: +41 22 740 14 35**International Bureau of WIPO
34 chemin des Colombettes
1211 GENEVA 20
SWITZERLAND

SIR

INTERNATIONAL PATENT APPLICATION PCT/AU03/01526**Owner: David Peter Wharton****Title: DRUG DELIVERY DEVICE AND METHOD**

We refer to our request of 27 April 2005 to amend the above identified application to Medistream Pty Ltd as the applicant in all countries other than the USA.

It has been brought to our attention that the spelling of the applicant should in fact be Medi-Stream Pty Ltd. Could you kindly note and record this change.

Yours respectfully

FISHER ADAMS KELLY**PAUL M. THOMPSON**

the following

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